

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JIMMY DEAN HINSON,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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No. 4:12-CV-1140 CAS

MEMORANDUM AND ORDER

This matter is before the Court on petitioner's request for correction of jail time credit. The Court filed this action as a petition for writ of habeas corpus under 28 U.S.C. § 2241 because § 2241 is the only available avenue for a federal prisoner to challenge the Federal Bureau of Prison's ("BOP") application of time credits. Plaintiff did not file a motion to proceed in forma pauperis or pay the filing fee. Also, petitioner did not file his request on the standard form.

If petitioner wishes to pursue this action, he must either pay the filing fee or submit a motion to proceed in forma pauperis. He must also amend the petition on the Court's standard form.

The Court notes, however, that if petitioner proceeds with this action, the Court will dismiss the petition for lack of subject matter jurisdiction. A petitioner seeking to challenge the BOP's ruling on time credits must file his petition in the judicial district in which he is incarcerated. See 28 U.S.C. § 2241(a). Petitioner is incarcerated in the Southern District of Illinois. Therefore, a § 2241 petition would be properly filed there, not here in the Eastern District of Missouri.

Accordingly,

IT IS HEREBY ORDERED that the Clerk shall mail to plaintiff the standard forms for filing an action under 28 U.S.C. § 2241 and for filing in forma pauperis.

IT IS FURTHER ORDERED that, should petitioner wish to proceed with this action, he must (1) either pay the \$5.00 filing fee or submit a motion to proceed in forma pauperis accompanied by a financial affidavit, and (2) file an amended petition on the standard form.

IT IS FURTHER ORDERED that if petitioner does not file the documents described above within thirty (30) days of the date of this Order, the Court will dismiss this action without prejudice.

A handwritten signature in black ink, appearing to read "Charles A. Shaw", is written over a horizontal line.

CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 11th day of July, 2012.